

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

LAWRENCE C. REDDING

Plaintiff,

CV 10-998-PK

v.

OPINION AND
ORDER

DR. JASPAL DHALIWAL, et al,

Defendants.

PAPAK, Magistrate Judge:

Plaintiff Lawrence Redding, proceeding *pro se*, filed this action against defendants Dr. Jaspal Dhaliwal, Dr. Stephen Davis, Ignacio De Las Heras, Debra Zimmerman, Commander David Keene, Micha Morris-Silveira, Gary Paape, Israel Jacquez, Jeff Thomas, Alan Booth, Curtis Cole, and Alyssa Tovar, on August 20, 2010, alleging defendants' violation of his Eighth Amendment rights. Now before the court is Redding's motion (#84) for a continuance pursuant to FED R. CIV. P. 56(d). For the reasons set forth below, Redding's motion is granted.

ANALYSIS

Redding requests additional time to complete discovery so as to properly respond to the defendants' pending motion to dismiss or in the alternative for summary judgment. In particular,

Redding requests that defendants fully respond to outstanding interrogatories, and also provide him with copies of his complete prison file, including all medical records, and prison policies relating to the treatment of inmate medical needs, particularly back injuries.

Redding has served all defendants with interrogatories. I agree with defendants' objections to those interrogatories based on their highly personal nature and because they are not relevant to the proceedings. Defendants therefore, may properly refrain from further response to Redding's interrogatories.

Redding also requests that defendant David Keene produce Redding's medical record, as well as his complete prison record, including statements about Redding's medical and security issues. Additionally, Redding requests that defendant Keene provide him with the prison policy concerning the treatment of inmates with back injuries.

As defendants note in their response brief, Redding already has access to these documents. Nevertheless, in the interest of fully developing the record, Redding's motion for continuance is granted. Redding is to follow the policies outlined in Bureau of Prisons Program Statement §§ 513.40-42 to access his Inmate Central File and his medical records. Defendants are directed to assist Redding in this endeavor. Defendants shall also provide Redding with the Bureau of Prisons policy concerning the treatment of inmates with back injuries. Plaintiff shall have until August 13, 2011, to respond to defendants' motion.

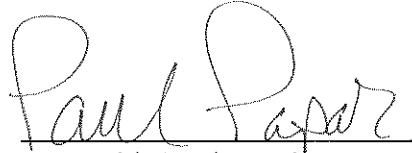
CONCLUSION

For the reasons set forth above, plaintiff's motion (#84) for a continuance is granted. Defendants may refrain from further responses to plaintiff's interrogatories, but must assist plaintiff in acquiring his inmate and medical records, and must provide Redding with the Bureau

of Prisons policy concerning the treatment of inmates, particularly inmates with back injuries.

Plaintiff's response to defendants' motion to dismiss or in the alternative for summary judgment, is due on or before August 13, 2011.

Dated this 13th day of July, 2011.

A handwritten signature in cursive script, reading "Paul Papak", written over a horizontal line.

Honorable Paul Papak
United States Magistrate Judge